

NOTICE OF PUBLIC HEARINGS ON AN ENVIRONMENTAL IMPACT REPORT

Notice is hereby given that the Planning Commission of the City of San José will hold a Public Hearing on **Thursday, June 2, 2005, at 6:00 p.m.**, to certify that the Final Environmental Impact Report (EIR) prepared for the project identified below has been completed in compliance with the California Environmental Quality Act (CEQA). Furthermore, in the event of an appeal of the Planning Commission's certification of the Final EIR, there will be a public hearing before the City Council of the City of San Jose on **Tuesday, June 21, 2005 at 1:30 p.m.** on an appeal of the Final Environmental Impact Report.

These Public Hearings will be held in accordance with Title 21 of the San José Municipal Code, during and before which all persons interested in the matter shall be given a reasonable opportunity to be heard. You are welcome to attend and to speak on this issue. If you choose to challenge the decision on this Environmental Impact Report in court, you may be limited to only those issues you, or someone else, raised and discussed at the Public Hearing or in written correspondence delivered to the City at or prior to the Public Hearing. These public hearings will be held at the dates and times stated above, in the Council Chambers, on the second floor of City Hall, at 801 North First Street, San Jose, California.

The project being considered is: **FINAL ENVIRONMENTAL IMPACT REPORT** for the modification of the City of San Jose's Transportation Impact Policy (File No. PP02-07-178). According to the proposed Traffic Impact Policy, a project's traffic improvements would be unacceptable if future vehicular capacity-enhancing improvements would result in a physical reduction in the capacity and/or a substantial deterioration in the quality (aesthetic or otherwise) of any other planned or existing transportation facilities (such as pedestrian, bicycle and transit systems and facilities). In addition, the City has identified 13 intersections at which vehicular capacity improvements beyond those already built or under construction would result in potentially significant adverse impacts. Therefore, future development projects which result in level of service (LOS) impacts at these intersections would not be required to provide LOS traffic improvements; rather, these projects would be required to provide other improvements to the transportation network (SCH #2002082001).

Council District: Citywide

The Final Environmental Impact Report, including the City's responses to comments received during the Public Review Period (August 31, 2004 to December 6, 2004), is available for review beginning May 23, 2005, on Monday, Wednesday, and Friday from 9:00 a.m. to 5:00 p.m., and on Tuesday and Thursday from 10:00 a.m. to 5:00 p.m. at the Department of Planning, Building and Code Enforcement, 801 North First Street, Room 400, San José and on the Internet at <http://www.sanjoseca.gov/planning/eir/eir.htm>. The certification of the Final EIR may be appealed in writing by any person prior to 5:00 p.m. on **Tuesday, June 7, 2005**. Such appeal shall be filed on the appropriate form and accompanied by filing fees at the Department of Planning, Building and Code Enforcement and shall include a statement specifying the basis of the appeal. It should be noted that the certification of a Final EIR does not constitute approval of the project for which it was prepared. The decision to approve or deny the project will be made separately as required by City Ordinance.

To arrange an accommodation under the Americans With Disabilities Act to participate in this public meeting, please call (408) 277-4576 (VOICE) or (408) 998-5299 at least 48 hours before the meeting. Comments and questions regarding the EIR are welcome and should be referred to **Janis Moore** of the Department of Planning, Building and Code Enforcement (408) 277-4576. For your convenience, contact **Olga Guzman** at the same telephone number the week of the Public Hearing to verify that this item will be heard and is not scheduled for deferral to a later date.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement